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January 25, 2022

BY EMAIL

The Honorable Alison J. Nathan
United States District Court
Southern District of New York
United States Courthouse
40 Foley Square
New York, NY 10007

Re: *United States v. Ghislaine Maxwell*, S2 20 Cr. 330 (AJN)

Dear Judge Nathan:

We write in response to the Court's email yesterday, January 24, 2022, requesting that the parties submit a revised copy of Court Exhibit 2 with Carolyn Andriano's last name redacted. For the reasons set forth below, the defense believes that Ms. Andriano's last name should not be redacted in the publicly filed version of Court Exhibit 2.

The redactions to Court Exhibit 2 were the subject of some discussion among the parties. The government originally proposed that Court Exhibit 2 should be filed under seal because the list of names is alphabetized and redacting only anonymized names would provide identifying information for anonymized witnesses. The defense objected to that proposal on the grounds that it was unnecessary and overbroad to seal the entire document and that the names of anonymized witnesses could be redacted.

The defense further objected to Ms. Andriano's name being redacted in any way due to her recent post-trial interview with the *Daily Mail*, in which she publicly disclosed her full name and declared her intention to waive her right to anonymity. According to the article, Ms. Andriano stated the following:

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I waive my right to anonymity. I am doing this because I want all young women to know what happened to me when I was a teenager and how it has affected my life. I want to be a voice for all survivors of sexual abuse so that they are not afraid to come forward, even if it is years after the event, and say what happened to them. This is my story and I want to tell it.¹

The defense told the government that, in light of Ms. Andriano's statements, we did not see any privacy interest that could justify redacting her name in any further court filings.

Although we did not receive a response from the government, the government ultimately sent the Court a proposed redacted version of Court Exhibit 2 which redacted the full names of witnesses who testified under pseudonyms and the last names of witnesses who testified using only their first names. The government also followed the defense's request and did not redact Ms. Andriano's last name.

Carolyn Andriano is now in the same position as Annie Farmer, who publicly waived her right to anonymity and gave public statements to the media under her full name. Accordingly, the defense respectfully submits that Ms. Andriano's last name should not be redacted in the version of Court Exhibit 2 that is filed on the public docket.

The defense files this letter temporarily under seal until the Court rules on whether Ms. Andriano's last name should be redacted. Once the Court rules, we will file an appropriately redacted version of this letter on the public docket and coordinate with the government to provide the Court with an updated version of Court Exhibit 2, if necessary.

¹ See <https://www.dailymail.co.uk/news/article-10380313/Victim-waives-claims-Virginia-Giuffre-told-slept-Duke-York-London.html> (emphasis added).

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Sincerely,

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cc: All Counsel of Record (By Email)